IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

Bail Appl..No. 1220 of 2007

CRIME NO.27/2007 OF PERUVANTHANAM POLICE STATION

PETITIONER/ACCUSED

K.T.SEBASTIAN @ JOY,AGED 55 YEARS,
KANNAMKULAM HOUSE,35TH MILE,
MUNDAKAYAM EAST P.O.,
IDUKKI DISTRICT.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.P.P.BIJU

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1220/2007

Dated this 2nd day of March, 2007

O R D E R

The petitioner who is the accused in Crime No.27/2007 of Peruvanthanam Police Station for an offence punishable under Section 55(a) and (h) of the Abkari Act for allegedly having been found in possession of 47.450 litres of Indian Made Foreign Liquor in 88 bottles, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Investigating Officer for interrogation and then to have his application for regular bail ordered by the Magistrate concerned.

4. Accordingly the petitioner is directed to surrender before the Investigating Officer on any day between 12.3.2007 and 14.3.2007 for the purpose of interrogation. Thereafter, the petitioner shall be produced on the same day before the

Magistrate having jurisdiction. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed, bearing in mind the case of **Sukumari v. State of Kerala (2001 (1) KLT 22).**

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs